

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LOUIS DAIDONE,

Petitioner,

08 Civ. 3825

-against-

UNITED STATES OF AMERICA,

Respondent,

Richard M. Berman, U.S.D.J.:

Following the Court's memo endorsement of May 7, 2008, Counsel for Petitioner submitted to the Court a letter, dated May 9, 2008, advising the Court that Petitioner requests that the Court consider only the Petition filed under docket number, 08 civ 2545, and not the pro se petition addressing the same subject matter, it is hereby

ORDERED, the above-entitled pro se action be, and the same hereby is, dismissed.

Dated: New York, New York
May 12, 2008


Richard M. Berman, U.S.D.J.